

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

INCOME TAX APPEAL NO.668 OF 2003

The Commissioner of Income-tax,
Mumbai City-XXV, Mumbai.

.. Appellant

v/s.

Shri Basant Kumar Taparia

.. Respondent

Mr.R.V.Desai, senior counsel with Mr.R.Asokan i/by
Mr.S.S.Sarkar for appellant.

CORAM : R.M.LODHA AND
J.P.DEVADHAR, JJ.

DATED : 1st November, 2004

P.C.

Heard.

2. The issue raised in this appeal is concluded by the Division Bench judgment of this court in the case of Cadell Weaving Mill Co.P.Ltd. v.

Commissioner of Income Tax and anr., 249 ITR 265.

3. However, the learned senior counsel for the revenue submits that the judgment of this court is in appeal before Supreme Court. Even if that be so, in so far as we are concerned, the issue stands concluded by the Division Bench judgment of this court.

4. No substantial question of law arises.

Dismissed in limine.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)